

AN ORDINANCE **101419**

AUTHORIZING AN AMENDMENT TO THE GENERAL OPERATING AGENCY AGREEMENT WITH THE GREATER KELLY DEVELOPMENT AUTHORITY ("GKDA") BY EXTENDING THE TERM OF THE AGREEMENT BY ONE (1) YEAR TO PROVIDE FOR THE COMPLETION OF TWO (2) STREET PROJECTS AT KELLYUSA AS PART OF THE 2003 BOND PROGRAM.

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WHEREAS, pursuant to Ordinance No. 96693, the City of San Antonio entered into a General Operating Agency Agreement (the "Agreement") with the Greater Kelly Development Authority ("GKDA") for the distribution of \$2,149,000.00 to be used to fund six capital projects at KellyUSA; and

WHEREAS, the Agreement contains a scope of work that provides \$491,000.00 for the planning, engineering, and design of an extension to Cupples Road through East KellyUSA and \$758,000.00 for the planning, engineering, and design of New Luke Road to link the City's 36th Street improvements at the intersection of Highway 90, through KellyUSA, to General Hudnell Road; and

WHEREAS, the two projects will not be completed by the contract's termination date due to delays associated with the evaluation of alternative security options for access points onto KellyUSA East and changes made to the original road alignment; and

WHEREAS, GKDA has requested, and the City staff is recommending, that the Agreement be extended by an additional year, expiring on September 30, 2006, to provide for the completion of the two projects; and

WHEREAS, the City's assistance to GKDA is consistent with the implementation of the City's strategic initiatives for economic development by promoting the redevelopment of KellyUSA; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A Third Amendment to the General Operating Agency Agreement with GKDA extending the term of the Agreement by one year, to terminate on September 30, 2006, is hereby approved. A copy of the Third Amendment is attached to this Ordinance as Exhibit "A" and made a part hereof.

SECTION 2. The City Manager or his designee is hereby authorized to execute a Third Amendment to the General Operating Agency Agreement with GKDA first entered into pursuant to Ordinance No. 96693, and amended by Ordinance No. 98179 and Ordinance No. 99762.

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SECTION 3. This ordinance shall be effective on the tenth (10th) day after passage.

PASSED AND APPROVED this 22nd day of SEPTEMBER 2005.



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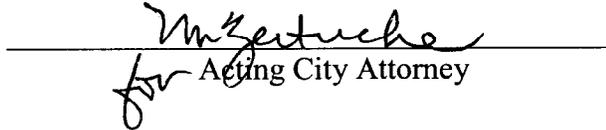
PHIL HARDBERGER

ATTEST:



City Clerk

APPROVED AS TO FORM:



for Acting City Attorney